

D. Conn.
10-cv-1546
Chatigny, J.

United States Court of Appeals

FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 2nd day of December, two thousand fourteen.

Present:

Rosemary S. Pooler,
Barrington D. Parker,
Richard C. Wesley,
Circuit Judges.

Roger H. Kaye, *et al.*, on behalf of themselves and all
others similarly situated,

Plaintiffs-Appellants,

v.

14-274 (L);
14-1691 (Con)

Merck & Co., Inc., *et al.*,

Defendants-Appellees.

Appellees move to dismiss Appellants' appeals as impermissibly taken from non-final orders of the district court. *See* 28 U.S.C. § 1291. Upon due consideration, it is hereby ORDERED that Appellees' motions are GRANTED and the appeals are DISMISSED. Our Court lacks jurisdiction over the appeals because (1) the orders appealed from are interlocutory; and (2) the collateral order doctrine does not apply. *See Coopers & Lybrand v. Livesay*, 437 U.S. 463, 467 (1978); *Chase Manhattan Bank, N.A. v. Turner & Newall, PLC*, 964 F.2d 159, 162, 166 (2d Cir. 1992). Additionally, mandamus relief is not warranted. *See In re United States*, 10 F.3d 931, 933 (2d Cir. 1993); *In re Steinhardt Partners, L.P.*, 9 F.3d 230, 233 (2d Cir. 1993).

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

SAO-IAD


Catherine O'Hagan Wolfe